IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No.13438 of 2004

Between:

K.Tirupathi Reddy, S/o.Malla Reddy,
R/o.4-52, Allwanpally, Jedcherla Mandal,

Mahaboobnagar Dist. **..... PETITIONER**

AND

1.The Secretary,

Regional Transport Authority,
Mahaboobnagar.
2.The Asst.Motor Vehicles Inspector,

Regional Transport Authority,

Mahaboobnagar. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of a writ of Mandamus, declaring the seizure of the petitioner's Tractor - Trailer bearing No.AP/22U - 3946, AP/22U - 3947 seized under vehicle check report No.417870 dated 15-7-2004 by the 2nd respondent as illegal, arbitrary, unjust and consequently direct the respondents to release the vehicle of the petitioner forthwith and to pass such other order as the Hon’ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.SIVA RAMA KRISHNAIAH
Counsel for the Respondents: GP FOR TRANSPORT

The Court at the admission stage made the following :

ORDER:(PER BN, J)

Heard learned Counsel for the parties.

It appears that a Tractor has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

(BILAL NAZKI, J)

3rd August, 2004

(S.ANANDA REDDY, J)

Note:

Wire at party's costs

B/o

LUR

TO:

1.The Secretary,

Regional Transport Authority,
Mahaboobnagar.
2.The Asst.Motor Vehicles Inspector,

Regional Transport Authority,

Mahaboobnagar.

3.Two CCs to the Government Pleader for Transport,

High Court Buildings, High Court of A.P., Hyderabad (O.U.T)

4.Two CD copies.